



Sheppard, Mullin, Richter & Hampton LLP
30 Rockefeller Plaza
New York, New York 10112-0015
212.653.8700 main
212.653.8701 fax
www.sheppardmullin.com

212.634.3092 direct
randoh@sheppardmullin.com

BY ECF

December 7, 2020

The Honorable Kenneth M. Karas
United States District Judge
United States District Court, Southern District of New York
The Hon. Charles L. Brieant Jr. Federal Building and
United States Courthouse
300 Quarropas St.
White Plains, NY 10601-4150

MEMO ENDORSED

Re: **Loyal Bank, et. al. v. Mastercard International Incorporated**
7:20-cv-02208 (KMK)

Dear Judge Karas:

This law firm represents Defendant Mastercard International Incorporated ("Mastercard") in the above-referenced matter. Pursuant to Your Honor's Individual Practices in Civil Cases Rule 9.A, we write to respectfully request that Your Honor issue an order permitting Mastercard to file under seal Exhibit D to Mastercard's Motion to Dismiss (the "Exhibit").

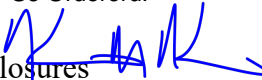
The information that Mastercard has redacted from the Exhibit is not relevant to the subject matter of this action. Further, Mastercard is not relying upon the redacted information in support of its Motion to Dismiss. Finally, the redacted portions of the Exhibit contain confidential Mastercard information with regard to the amounts of fees charged to licensees. Under this Court's rules and the precedents of this Circuit, documents may be sealed where they contain confidential business information. *Standard Inv. Chartered, Inc. v. Fin. Indus.*, 347 Fed. App'x. 615, 616-17 (2d Cir. 2009) ("interest in protecting confidential business information outweighs the qualified First Amendment presumption of public access."). This is particularly the case where, as here, the redacted information is irrelevant to the action and is only included in the filing because it happens to appear on the same page as the relevant provision, which is being filed publicly.

Per this Court's Rules, Mastercard will contemporaneously e-file under temporary seal the Exhibit, publicly file a redacted version of the Exhibit, and relate them both to this motion.

For the foregoing reasons, Mastercard respectfully requests that the Exhibit be permitted to be filed under seal. We thank Your Honor for your time and attention to this matter.

Granted.

So Ordererd.

Enclosures  12/8/20
cc: All Counsel of Record

/s/Rena Andoh
RENA ANDOH